



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|--------------------------|---------------------|------------------|
| 09/828,191 | 04/09/2001 | Anthony V. Pugliese, III | 954.35718VX3 | 1029 |

23593 7590 04/21/2006

ZITO TLP
26005 RIDGE ROAD
SUITE 203
DAMASCUS, MD 20872

EXAMINER

SALIARD, SHANNON S

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3639

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------------------|---|--|
| Office Action Summary | Application No. 09/828,191 | Applicant(s) PUGLIESE, ET AL. | |
| | Examiner Shannon S. Saliard | Art Unit 3639 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Applicant has previously cancelled claims 1-27. No claims have been amended or added. Thus, claims 27-82 are pending and presented for examination.

Response to Arguments

2. Applicant has failed to address the claim objections. Thus, the Examiner upholds the rejections as stated in the prior Office Action.

3. Applicant has failed to address claims 27, 46-60, 63, 64, 67-74, 76, 77, and 80-82. Thus, the Examiner interprets this to mean that the Applicant accepts rejections of the previously listed claims as prior art. Therefore, the rejections of claims 27, 46-60, 63, 64, 67-74, 76, 77, and 80-82 are upheld.

4. Applicant's arguments filed 2 February 2006 have been fully considered but they are not persuasive.

5. Applicant argues (with respect the claims 28, 32, 37, 29-31, 33-36, 38-43, 45, 61, 70, 62, 66, 65, 75, 78, and 79) that Sehr does not teach that a card is loaded with passenger's identification and account accessing information, which is then used to access an airline's central database where that passenger's...information is stored and from which it is able to be applied to services used." Examiner, submits that Sehr discloses "the distributed databases (10), (20), and (30) are associated with the plurality of remote system entities that comprise the card station, travel center and service providers...the databases include the data records hat relate to the system entities and to the passenger card contents...remote distributed databases including the passenger

Art Unit: 3639

card, always contain the same set of data that is required to qualify a passenger for travel or service eligibility" [col 5, lines 11-32]. Furthermore, Sehr teaches that "the database (10) is linked to the other databases distributed among and between all system entities, including the passenger card per se" [col 5, lines 55-57]. Sehr further discloses that "the database data also comprises unique identification numbers for passengers or service providers...the database further comprises a set of service or payment points that are underwritten by the provider...the points can be loaded into passenger cards and accepted thereafter by selected service providers" [col 8, lines 29-39]. Thus, the card is used to access passenger records stored in the central database of the travel service provider.

6. In response to applicant's argument that "Sehr's card is pre-loaded with information such as monetary values and other passenger account rights, similar to a credit/debit card, whereas Applicant's card is simply loaded with a passenger's identification and account accessing information, which is then used to access an airline's central database where the passenger's account holdings and right information is stored and from which it is able to be applied to services", the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Priority

7. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. [1] as follows: Copendency between the current application and the prior application is required.

Claim Objections

8. **Claims 46 and 48** are objected to because of the following informalities: claims 46 and 48 depend on claim 20. However, the claims have been amended, canceling claim 20. Appropriate correction is required. For the purposes of this review the examiner will interpret claims 46 and 48 to be "as defined in claim 27".

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. **Claims 27, 46, 56, 60, 64, 68, 69, 71-74, 77, 80 and 81** are rejected under 35 U.S.C. 102(b) as being anticipated by Pugliese, III [U.S. Patent No. 6,044,353].

As per **claims 27 and 60**, Pugliese, III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular individual who has

Art Unit: 3639

a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or flight information (col 5, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who make a reservation for an airline flight, said passenger record including reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 10, lines 25-43); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing the reservation data in the passenger record of the individual stored in the central data bank, and effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket; and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60); wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual (col 10, lines 28-43).

As per **claim 46**, Pugliese, III further discloses further including the steps of: storing information in the central data bank indicating that the individual has checked

Art Unit: 3639

baggage to be carried by the particular airline flight when the individual checks baggage at the airline terminal prior to boarding the airline flight; storing information in the central data bank for each individual who boards the particular airline flight indicating that the individual has boarded; and comparing the information in the central data bank which identifies individuals who have checked baggage for the particular airline flight with information in the central data bank which identifies individuals that have boarded the particular airline flight to determine whether any individual who has checked baggage has not boarded, before the particular airline flight departs (col 12, lines 41-46).

As per **claim 56**, Pugliese III further discloses wherein said passenger record further includes message information representing a message to a passenger from a third party, and further including the step of communicating a message from a passenger record to a remote computer terminal at which a personal identification card has been read to access said passenger record (col 7, lines 15-22).

As per **claim 64**, Pugliese III further discloses wherein said personal identification card is an airline card, which is issued by an airline to allow a passenger to access the airline central data bank (col 1, lines 35-38).

As per **claim 68**, Pugliese III further discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular airline flight for a particular individual who has a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or airline flight information (col 5, lines 61-67; col 6, lines 1-14); storing

Art Unit: 3639

reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including the name of the individual, graphic data identifying the individual and reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 2, lines 39-48); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing graphic data and reservation data stored in a passenger record in the central data bank, and to verify the identity of the individual who presents the card on the basis of the accessed graphic data, thereby to effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket (col 11, lines 40-45); and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after, the personal identification card is read and the reservation has been verified (col 1, lines 50-60).

As per **claim 69**, Pugliese III further discloses wherein said graphic data represents a photo of said individual, and further including the step of displaying the graphic data at the selected location (col 11, lines 40-45).

As per **claims 71, 72, 80, and 81**, Pugliese III further discloses wherein said graphic data is fingerprint and retina scan identifying data of said individual, and further

Art Unit: 3639

including the step of comparing the received graphic data with a fingerprint and retina scan of the individual at the selected location (col 10, lines 62-67; col 11, lines 1-15).

As per **claim 73**, Pugliese III discloses an airline reservation and authorization system for making a reservation for a particular individual for a particular flight and for allowing said individual to board said particular flight and to access services and purchase goods on said flight using only personal identification information, and without issuing an airline ticket to said individual, said system comprising: a central storage for storing reservation data concerning a predetermined flight and personal information which relates a particular individual, who has made a reservation for the predetermined flight, to the stored reservation data (col 10, lines 25-43); an identification card for accessing reservation data from said central storage, said card comprising storage means for storing information personal to an individual to identify that individual and not information concerning an airline flight for which the individual may make a reservation (col 1, lines 35-42); communication units located at sites remote from said central storage at which reservation information may be accessed by airline personnel from said central storage, said communication units each comprising means for providing a telecommunication connection with said central storage to verify reservation information on site and an identification card reader for reading the magnetic means on an identification card to identify an individual to the central storage, which central storage includes means responsive to personal information received from a remote site via said telecommunication means for verifying a reservation and authorizing the identified individual to board the airline flight without requiring the individual to present an airline

Art Unit: 3639

ticket (col 9, lines 65-67; col 10, lines 1-15); and an automatic teller machine at a publicly accessible location for providing information to an individual relating to an airline flight for which said individual has a reservation, said automatic teller machine comprising a card reader, a display terminal, a telecommunication unit responsive to personal information read from an identification card for accessing flight information in said central storage relating to a flight for which the card holder has a reservation to verify that reservation and for displaying said flight information, and means for issuing a boarding pass to said individual when said reservation has been verified (col 10, lines 9-19 and lines 54-57).

As per **claim 74**, Pugliese III further discloses wherein said central storage stores frequent flier information, for individuals who are a member of an airline frequent flier program, including a record of frequent flier miles accumulated by each individual (col 10, lines 28-43).

As per **claim 77**, Pugliese III further discloses wherein said publicly accessible location of said automatic teller machine is in an airline terminal (col 3, lines 62-66).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 28-45, 61, 62, 65, 66, 70, 75, 78, and 79** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] in view of Sehr [U.S. Patent No. 6,085,976].

As per **claims 28 and 32**, Pugliese III discloses all the limitations of claims 27. Pugliese III does not disclose further including the steps of: selling a product or service to an individual who is a member of an airline frequent flier program for a specified cost; accessing the passenger record of the individual in said central data bank; and debiting the current record of frequent flier miles by a number of miles equal to the specified cost of said product or service to pay for the product or service, so that the individual may purchase the product or service without tendering cash. However, Sehr discloses selling a product or service to an individual who is a member of an airline frequent flier program for a specified cost and debiting the current record of frequent flier miles, so that the individual may purchase the product or service without using cash (col 21, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that card-based payment means offers convenience for passengers, as well as the potential for lower administrative costs and increased passenger loyalty (col 2, lines 19-23 and lines 47-50).

As per **claim 37**, Pugliese III does not disclose wherein said service is providing a video display of data for viewing by the passenger at his or her seat on an airplane. However, Sehr discloses that a passenger can view a video at his or her seat on an airplane (col 21, lines 22-27). Therefore, it would have been obvious to one of ordinary

Art Unit: 3639

skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that card-based payment means offers convenience for passengers, as well as the potential for lower administrative costs and increased passenger loyalty (col 2, lines 19-23 and lines 47-50).

As per **claims 29-31**, Sehr does not explicitly disclose wherein said product is a beverage, publication, or food sold on an airplane. As per claims 33-36, Sehr does not explicitly disclose wherein said service is providing a telephone connection between the individual while riding in an airplane and a third party located outside the airplane, providing a telephone connection between the individual while riding in an airplane and a third party located in the same airplane, providing a telephone connection between the individual while in the airline terminal and a third party located outside the airline terminal, or providing a telephone connection between the individual through the remote computer terminal at the airline terminal and a third party located outside the airline terminal. **As per claims 38-43**, Sehr does not explicitly disclose wherein said service is a video display of data is a real-time video image of another passenger on the airplane, a video display of data is a video game, a video game is displayed simultaneously at plural seats so that at least two passengers may participate in the video game at the same time, a video game is a bingo game run by the airline, a video game is a card game, a video game is a board game. As per **claims 44 and 45**, Sehr does not explicitly disclose wherein said service is providing a selected audio program to a passenger at his or her seat during an airline flight or renting equipment to a passenger

for use at his or her seat during an airline flight. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to make it possible for passengers to use the passenger card to access frequent flier miles to pay for any variety of products or services available on an airplane. This method of payment would offer convenience to passengers as well as minimize the handling of cash by flight attendants.

As per **claims 61 and 70**, Pugliese III does not disclose wherein said personal identification card has a picture of the individual thereon. However, Sehr discloses a personal identification card that has a picture of the individual thereon (col 23, lines 23-26). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that the cardholder's identity can be verified at the passenger station by a travel representative for authorizing admission for boarding purposes.

As per **claims 62 and 66**, Pugliese III further discloses wherein said personal identification card has a first magnetic stripe on which said identification information corresponding to the individual is stored (col 1, lines 40-42). Pugliese III does not explicitly disclose a second magnetic stripe on which credit account information for a credit account of the individual is stored. However, Sehr discloses that personal identification and credit card information is stored with the passenger record (col 8, lines 29-34), which indicates that the personal identification and credit card information can be stored by the same means. It would have been obvious to one of ordinary skill in the

art, at the time of the invention, to store personal identification information on one magnetic stripe and credit card account information on another.

As per **claim 65**, Pugliese III does not disclose wherein said personal identification card is a bank-type credit card. However, Sehr discloses a personal identification card that is a bank-type credit card (col 10, lines 45-50). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides motivation that the card can be authorized to be used as a payment option indicating that the user would not have to issue other means of identification for payment transactions.

As per **claim 75**, Pugliese III does not disclose wherein at least one communication unit is located on an airplane, so that airline personnel on the airplane can access said central storage using an identification card of a passenger to transfer to said central storage a request to debit the record of frequent flier miles of said passenger in payment for goods or services offered to said passenger by the airline. However, Sehr discloses an identification card of a passenger that is used as payment for goods or services offered to the passenger by the airline by accessing the passenger record which includes frequent traveler points while in-flight (col 14, lines 52-60; col 21, lines 22-27). Sehr does not explicitly disclose that there is a communication unit located on an airplane to debit frequent flier miles. However, it is inherent that if the passenger is using the passenger card as payment onboard an aircraft that there has to

Art Unit: 3639

be a communications unit available to debit the frequent flier miles from the passenger record in the central database.

As per **claim 78**, Pugliese III does not disclose wherein said publicly accessible location of said automatic teller machine is in a hotel. However, Sehr discloses an automatic teller machine located in a hotel (col 37, lines 63-67). Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the invention disclosed by Pugliese III to include the methods disclosed by Sehr for convenience in accessing the passenger record.

As per **claim 79**, Pugliese III does not disclose wherein said publicly accessible location of said automatic teller machine is in a business office building. However, Sehr discloses an automatic teller machine located in an office building (col 39, lines 33-37). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the invention disclosed by Pugliese III to include the methods disclosed by Sehr for convenience in accessing the passenger record.

13. **Claims 47-54** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese III [U.S. Patent No. 6,044,353] in view of Bravman et al [U.S. Patent No. 5,401,944].

As per **claims 47 and 54**, Pugliese III discloses all the limitations of claims 27 and 46. Pugliese III does not disclose further comprising the steps of: creating in the central data bank an airline flight record which identifies all individuals holding reservations for a particular airline flight, said airline flight record further including an

indication whether an individual listed for the particular airline flight has checked baggage for the flight and an indication whether said individual has boarded the flight; and updating said airline flight record when said central data bank receives information that an individual has checked baggage and when that individual has boarded the airline flight. However, Bravman et al discloses creating an airline flight record which identifies all individuals holding reservations for a particular airline flight, and the passenger so that have checked baggage for the flight to compare against and indicate that the individual has boarded the flight (col 9, lines 4-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al. Bravman et al provides motivation that the security risk of an individual checking baggage without boarding the plane is minimized (col 2, lines 3-5).

As per **claim 48**, Pugliese III does not disclose further including the steps of: reading passenger identification indicia on said boarding pass at a gate for said airline flight as said individual is boarding the flight; and communicating said passenger identification indicia read from said boarding pass to said central data bank to store information indicating that said individual has boarded the flight. However, Bravman et al discloses that passenger identification indicia on the boarding pass is read at a gate to update the passenger record to indicate that the individual has boarded the flight (col 2, lines 4-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods

disclosed by Bravman et al to facilitate verification and comparison of the information in the database with the information on the boarding pass.

As per **claim 49**, Pugliese III does not disclose wherein said passenger identification indicia appears on said boarding pass as printed matter and is read by an optical reader. However, Bravman et al discloses that the passenger identification data on the boarding pass is read by an optical reader (col 4, lines 63-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al. Bravman et al provides motivation indicating that identification indicia that appears on the boarding pass can be in any form so long as the data is advantageously employed (col 4, lines 46-48).

As per **claim 50**, Pugliese III does not disclose wherein said passenger identification indicia appears on said boarding pass as a bar code which is read by a bar code reader. However, Bravman et al discloses that the passenger identification data on the boarding pass is read by a bar code reader (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al since bar codes contain sufficient storage space for information, and can be easily read and the data transmitted to a central database in a fairly short period of time.

As per **claim 51**, Bravman et al does not explicitly disclose that the passenger identification indicia is magnetically stored on said boarding pass and is read by a magnetic reader. However, it would have been obvious to one of ordinary skill in the art

Art Unit: 3639

at the time of the invention to store identification indicia on the boarding pass in any form so long as it is advantageous to the airline as suggested by Bravman et al (col 4, lines 46-48).

As per **claim 52**, Pugliese III does not disclose wherein said passenger identification indicia is the name of the individual. However, Bravman et al discloses that the passenger identification data on the boarding pass is the name of the individual (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al for passenger recognition.

As per **claim 53**, Pugliese III does not disclose wherein said passenger identification indicia is a passenger identification number. However, Bravman et al discloses that the passenger identification indicia is a passenger identification number (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the method disclosed by Bravman et al for passenger recognition that is not easily identifiable by unauthorized individuals.

As per **claim 55**, Pugliese III does not explicitly disclose wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual, and further including the step of updating the record of accumulated frequent flier miles in the passenger record of an individual when the individual boards an airline flight, as indicated by passenger

identification indicia read from a boarding pass at the gate of a flight and communicated to said central data bank (col 10, lines 28-43). However, it would have been obvious to one of ordinary skill in the art at the time of the invention to update the record of frequent flier miles in the passenger record as the individual boards the flight. An automatic update of frequent flier miles based on the data read from the boarding pass would reduce the labor required to update the frequent flier record after the passenger has taken the flight.

14. **Claims 57-59, 63 and 82** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353].

As per **claim 57**, Pugliese III discloses all the limitations of claims 27 and 56. Pugliese III does not explicitly disclose wherein a message received at a remote computer terminal is displayed on a display screen. However, the Examiner takes Official Notice that it is old and well known in the art at the time of the invention to display messages at a remote computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the message on a display screen at the remote computer to facilitate passenger viewing.

As per **claim 58**, Pugliese III does not explicitly disclose wherein a message received at a remote computer terminal is printed by a printer. However, the Examiner takes official Notice that it is old and well known in the art at the time of the invention to print a message at a remote computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to enable the passenger to be able to

Art Unit: 3639

print the message from the remote computer terminal for convenience. Printing at the remote computer allows the user to eliminate the use of airline personnel for printing messages that are available at the remote computer terminal.

As per **claim 59**, Pugliese III does not explicitly disclose wherein said message is stored in at least one of the reservation fields of said passenger record. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to store the message in a reservation field in the passenger record to be able to correlate a particular message with a particular passenger.

As per **claim 63**, Pugliese III does not disclose wherein said personal identification card has printed on the back thereof governmental regulations and liability information as required of Warsaw Pact countries. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the governmental regulations and liability information on the back of the identification card because Warsaw Pact countries require it.

As per **claim 82**, Pugliese III does not explicitly disclose wherein said communication units include a bar code reader. However, Pugliese III discloses that the identification card is read by a card reader (col 1, lines 53-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a variety of methods to read the identification card. It is well known that bar codes contain significant amounts of data and are easily read by a scanner and can be uploaded into a database such as a passenger record.

Art Unit: 3639

15. **Claim 67** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] in view of Feldman [U.S. Patent No. 5,864,818].

As per **claim 67**, Pugliese III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular airline flight for a particular individual without either the travel agent or the airline issuing an airline ticket to the individual (col 5, lines 61-67; col 6 lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank; transmitting personal identification information, which is obtained from the individual at a selected location of an airline terminal, to the central data bank, to verify the reservation for the particular airline flight, by accessing the reservation data stored in the central data bank, and to effect automatic validation at the selected location to permit the individual to board the airline flight without requiring an airline ticket (col 10, lines 25-43); and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification information has been received from the selected location and the reservation has been verified; whereby access to airline flights can be effected without the need for issuing an airline ticket to the individual (col 1, lines 50-60). Pugliese III does not disclose that the travel agent receives payment for the airline flight on behalf of the individual and the travel agent's account is credited by an amount equal to a predetermined commission as soon as payment has been received on behalf of the

Art Unit: 3639

individual. However, Feldman discloses that travel agent reserves a pre-scheduled activity for the passenger and the bank transmits payment to the travel agent for the reservation and appropriate commission (col 5, lines 14-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention disclosed by Pugliese III to include the methods disclosed by Feldman for convenience to the passenger and travel agent to minimize the number of transactions that must take place between multiple parties for ticket issuing and commission payment.

16. **Claim 76** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] as applied to claims 73 and 74 above, and further in view of Sehr [U.S. Patent No. 6,085,976) and Weinberger et al [U.S. Patent No. 6,813,777].

As per **claim 76**, Pugliese III discloses all the limitations of claims 73 and 74. Pugliese III does not disclose further including a remote computer terminal provided at a passenger seat on an airplane for use by a passenger, said remote computer terminal including a card reader for reading personal information from an identification card of a passenger and a wire-less communication unit for sending personal information read from an identification card to access said central storage to debit the frequent flier miles of the passenger for payment of services offered to said passenger by the airline. However, Sehr discloses that information can be read from a personal identification card to access central storage to debit frequent flier miles of the passenger for payment

Art Unit: 3639

of services offered by the airline (col 8, lines 34-41). Weinberger et al discloses a remote computer terminal including a card reader for reading personal information from an identification card of a passenger and a wireless communication unit for sending personal information read from an identification card to access a database (col 39, lines 55-67). Therefore, it would have been obvious to one of ordinary skill in the art at the of the invention to modify the invention of Pugliese III to include the factors disclosed by Sehr and Weinberger et al. Sehr offers the motivation that card-based payment means provides convenience for passengers, as well as the potential for lower administrative costs and increased passenger loyalty (col 2, lines 19-23. and lines 47-50).

Conclusion

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3639

Please address mail to be delivered by the United States Postal Service (USPS)
as follows:

***Commissioner of Patents and Trademarks
Washington, D.C. 20231***

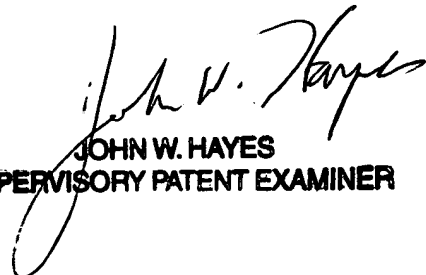
Or faxed to:

(571) 273-5587 [Informal/ Draft Communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Shannon S Saliard
Examiner
Art Unit 3639

SSS


**JOHN W. HAYES
SUPERVISORY PATENT EXAMINER**